

HOUSE BILL 1108

By Buck

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 9, relative to the promotion and
advertising of certain materials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-902, is amended by deleting the first sentence of subsection (a) and substituting instead the following:

(a) It is unlawful to knowingly produce, send or cause to be sent, or bring or cause to be brought, into this state for sale, distribution, exhibition or display, or to advertise or promote in this state the sale, distribution, exhibition or display, or in this state to prepare for distribution, publish, print, exhibit, distribute, or offer to distribute, or to possess with intent to distribute or to exhibit or offer to distribute any obscene matter, or to do any of the aforementioned with any matter found legally obscene that violates the requirements of 18 U.S.C. § 2257.

SECTION 2. Tennessee Code Annotated, Section 39-17-902, is further amended by adding the following new subsection (c) and by relettering subsequent subsections accordingly:

(c) It is unlawful for the owner or employee of a public or private television station or the owner or employee of a cable television company, as defined in § 39-14-102, that broadcasts for public viewing or paid subscription viewing in this state to solicit, accept or cause to be solicited or accepted, advertising for any obscene material or matter or for such station or company to promote or advertise any such obscene material or matter if such station or company knows or has reason to know that the material or matter for which the advertising is accepted or broadcast is obscene.

SECTION 3. Tennessee Code Annotated, Section 39-17-902, is further amended by deleting from subdivisions (c)(1) and (c)(2) the language “subsection (a)” and substituting instead the language “subsection (a) or (c)”.

SECTION 4. Tennessee Code Annotated, Section 39-17-911, is amended by adding the following new subsection (c) and by relettering subsequent subsections accordingly:

(c) It is an offense for the owner or employee of a public or private television station or the owner or employee of a cable television company, as defined in § 39-14-102, that broadcasts for public viewing or paid subscription viewing in this state to solicit, accept or cause to be solicited or accepted, advertising for any material that is harmful to minors and in violation of subsection (a) or for such station or company to promote or advertise any such material harmful to minors if such station or company knows or has reason to know that the material for which the advertising is accepted or broadcast is harmful to minors in violation of subsection (a) of this section.

SECTION 5. This act shall take effect July 1, 2007, the public welfare requiring it.